



# Community and Economic Development Planning Division

Jamie Bax *JB*  
Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970

**PLANNING COMMISSION DATE: June 13, 2023**

**AGENDA ITEM: #5**

<b>CZ</b>	<b>#2023-001</b>	<b>Rezone from RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) to RRM (Residential Rural Median) District</b>
<b>APN</b>	<b>032-753-005</b>	<b>Applicant: Gil J Rubio</b>
<b>CEQA</b>	<b>ND #2023-06</b>	<b>Negative Declaration</b>

**REQUEST:**

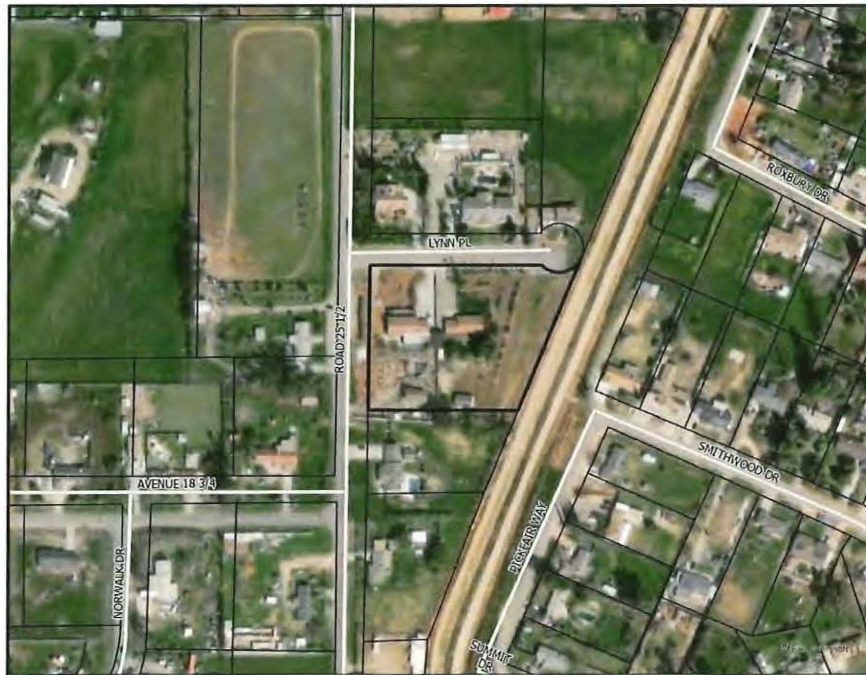
The applicant is proposing a rezone from RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) to RRM (Residential Rural Median) District in order to meet the minimum lot size for a subsequent parcel split.

**LOCATION:**

The subject property is located on the southeast corner of Lynn Place and Road 25 1/2 (18817 Road 25 1/2), Madera.

**ENVIRONMENTAL ASSESSMENT:**

Mitigated Negative Declaration (ND #2023-06) has been prepared and is subject for consideration by the Planning Commission.



**RECOMMENDATION:** Adoption of a resolution recommending approval of CZ#2023-001, subject to conditions, and Negative Declaration to the Board of Supervisors.

CZ#2023-001

**GENERAL PLAN DESIGNATION (EXHIBIT A):**

SITE: VLDR (Very Low Density Residential) Designations.

SURROUNDING: VLDR (Very Low Density Residential) Designations.  
OS (Open Space)

**ZONING (EXHIBIT B)**

SITE: RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre)

SURROUNDING: RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre)  
RRM (Residential Rural Median)  
OS (Open Space)

PROPOSED: RRM (Residential Rural Median) District

**LAND USE:**

SITE: Residential

**SIZE OF PROPERTY:** 2.60 Total Acres

**ACCESS (EXHIBIT B):** Access to the site is via Road 25 ½ and Lynn Place.

**WILLIAMSON ACT:**

The subject property is not subject to a Williamson Act (Agricultural Preserve) contract.

**BACKGROUND AND PRIOR ACTIONS:**

In 2000, applicant Brent Burwell applied for a rezone (CZ#2000-054) to convert four parcels from RRM (Residential Rural Median) District and RRS (Residential Rural Single Family) to RRS-2 ½ (Residential, Rural, Single Family – 2 ½ acre) to allow for farm animals. The Planning Commission requested a denial of the proposed rezone but was overridden by the Board of Supervisors approval on July 25, 2000.

**PROJECT DESCRIPTION:**

The applicant is proposing a rezone from RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) to RRM (Residential Rural Median) District in order to meet the minimum lot size for a subsequent parcel split. The property currently has two single-family dwellings with unpermitted improvements. The application is working to permit or remove these structures. The parcel is 2.60 acres. The rezone to RRM (Residential Rural Median) District will minimize the parcel size requirement. This will enable the applicant to apply for a parcel map to split the lot into two. The proposed rezone to RRM (Residential Rural Median) District will be compatible with the underlying General Plan of VLDR (Very Low-Density Residential).

**ORDINANCES/POLICIES:**

Madera County General Plan Part 1, Land Use Designations

Madera County Code (Chapter 18.11 Residential Zone Districts)

**ANALYSIS:**

The applicant is proposing a rezone from RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) to RRM (Residential Rural Median) District in order to meet the minimum lot size for a subsequent parcel split. The applicant’s intent is to split the parcel to gain full

KB

CZ#2023-001

ownership of one of the resulting parcels. The property currently has two single-family dwellings with unpermitted improvements that are being addressed through the Building Division. The application is working to permit or remove structures. The parcel is 2.60 acres. The rezone to RRM (Residential Rural Median) District will reduce the parcel size requirement, enabling the applicant to apply for a parcel map to split the lot into two. The proposed rezone to RRM (Residential Rural Median) District will be compatible with the underlying General Plan of VLDR (Very Low-Density Residential). The proposed zone district will be contiguous with the overwhelming majority of RRM (Residential Rural Median) zoned parcels throughout the Madera Estates Subdivision. The featured parcel is currently owned by two parties residing on each half of the parcel through partial interest. Both parties have the intention of fully owning their residing portion of the parcel, therefore initiating a future parcel split into two lots.

The application was circulated to internal and external agencies for comments, including Native American tribes per Assembly Bill 52 requirements. Comments were received from Environmental Health, Fire Marshal, and Public Works. Standard comments from Environmental Health state all parcels shall comply with Madera County Code Title 13 as it relates to water and sewage disposal. Fire Marshal's comments stated any buildings crossing property lines, or unable to meet required setbacks must be removed prior to any tentative parcel map approval. Public Works is requiring all driveway approaches must be designed per county standard ST-24A for residential use unless approved otherwise and that an encroachment permit is required prior to commencing any work in the public right of way.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$2,814.00 to cover the Notice of Determination (CEQA) filing at the Madera County Clerks' office. The amount covers the \$2,764.00 Department of Fish and Wildlife fee that took effect January 1, 2023, and the County Clerk's \$50.00 filing fee. In lieu of the Fish and Wildlife fee, the applicant may choose to contact the Fresno office of the Department of Fish and Wildlife to apply for a fee waiver. The County Clerk Fee, Department of Fish and Wildlife Fee (or waiver if approved) is due within five days of approval of this permit at the Board of Supervisors.

**GENERAL PLAN CONSISTENCY:**

The General Plan is listed as VLDR (Very Low Density Residential) which provides for single-family detached and attached homes, secondary residential units, bed-and-breakfast establishments, limited agricultural uses, public and quasi-public uses, and similar compatible uses. The proposed zone district is RRM (Residential, Rural, Multi-Family) District which allows for multiple dwelling units on larger lots and has a minimum lot size of one acre. The proposed rezone designation complies with the existing General Plan designation.

**RECOMMENDATION:**

Adoption of a resolution recommending approval of CZ#2023-001, subject to conditions, and Negative Declaration to the Board of Supervisors.

**CONDITIONS:**

See attached conditions of approval.

KB

**ATTACHMENTS:**

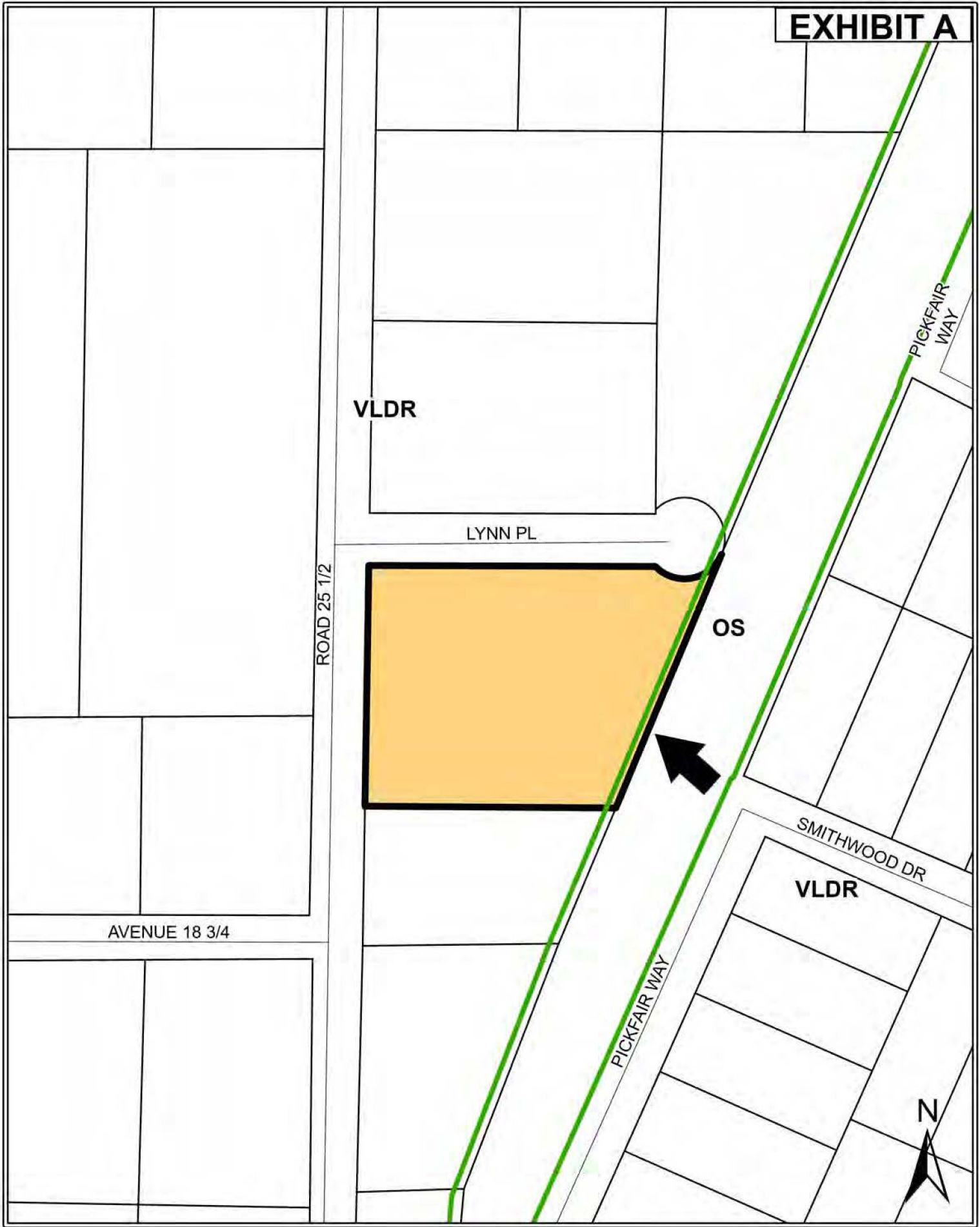
1. Exhibit A. General Plan Map
2. Exhibit B. Zoning Map
3. Exhibit C. Assessor Map
4. Exhibit D. Site Plan Map
5. Exhibit E. Aerial Map
6. Exhibit F. Topographical Map
7. Exhibit G. Operational Statement
8. Exhibit H. Environmental Health Comments
9. Exhibit I. Fire Marshal Comments
10. Exhibit J. Public Works Comments
11. Exhibit K. Initial Study
12. Exhibit L. Negative Declaration
13. Exhibit M. Resolution

**CONDITIONS OF APPROVAL**

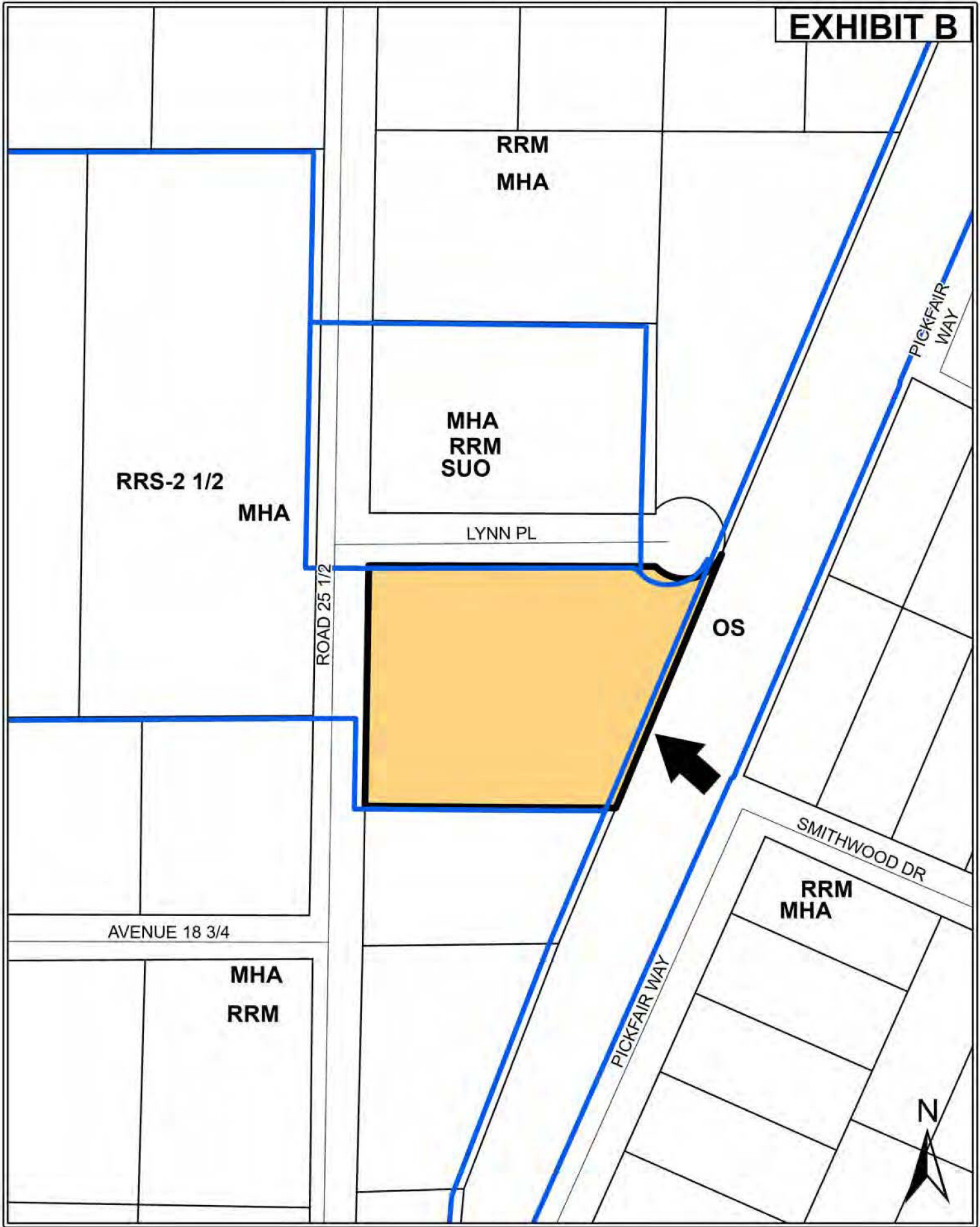
<b>PROJECT NAME:</b>	CZ#2023-001, Gil J Rubio
<b>PROJECT LOCATION:</b>	The subject property is located on the southeast corner of Lynn Place and Road 25 1/2 (18817 Road 25 1/2), Madera.
<b>PROJECT DESCRIPTION:</b>	The applicant is proposing a rezone from RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) to RRM (Residential Rural Median) District in order to meet the minimum lot size for a subsequent parcel split.
<b>APPLICANT:</b>	Gil J Rubio
<b>CONTACT PERSON/TELEPHONE NUMBER:</b>	(469) 585-2650

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>Environmental Health</b>					
1	All parcels shall comply with Madera County Code Title 13 as it relates to water and sewage disposal.	EH			
2	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.	EH			
3	During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division. The owner/operator of this property must submit all applicable permit applications to be reviewed and approved by this Division prior to commencement of any work activities.	EH			
<b>Public Works</b>					
1	Prior to any construction where such construction takes place within an existing public right-of-way, the developer is required to apply for an Encroachment Permit from the Public Works Department. Said permit must be approved prior to commencing the work.	PW			
2	All proposed driveway approaches must be designed per county standard ST-24A for residential use unless approved otherwise. The approach layout will be inspected by the Public Works inspector.	PW			
3	Due to the development being located within Caltrans facilities, the applicant will need to comply with any conditions imposed by Caltrans.	PW			

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>Planning</b>					
1	The project shall be developed and operate in accordance with the operational statement and site plan submitted with the application, except as modified by the conditions of approval required for the project.	Planning			
<b>Fire Marshal</b>					
1	Buildings crossing property lines, or unable to meet required setbacks must be removed prior to TPM.	Fire			
<b>Assessor's Office</b>					
1	Provide a completed AO-93 form.	Assessors Office			



**GENERAL PLAN MAP**



**ZONING MAP**



ASSESSOR'S MAP

ORIGINAL

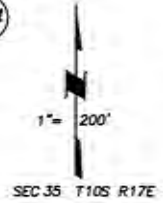
MADERA ESTATES SUB. NO. 3

M.B. VOL. 6 PAGES 40-52 TRACT 58

Tax Area Code 61-012

32-75

29  
22



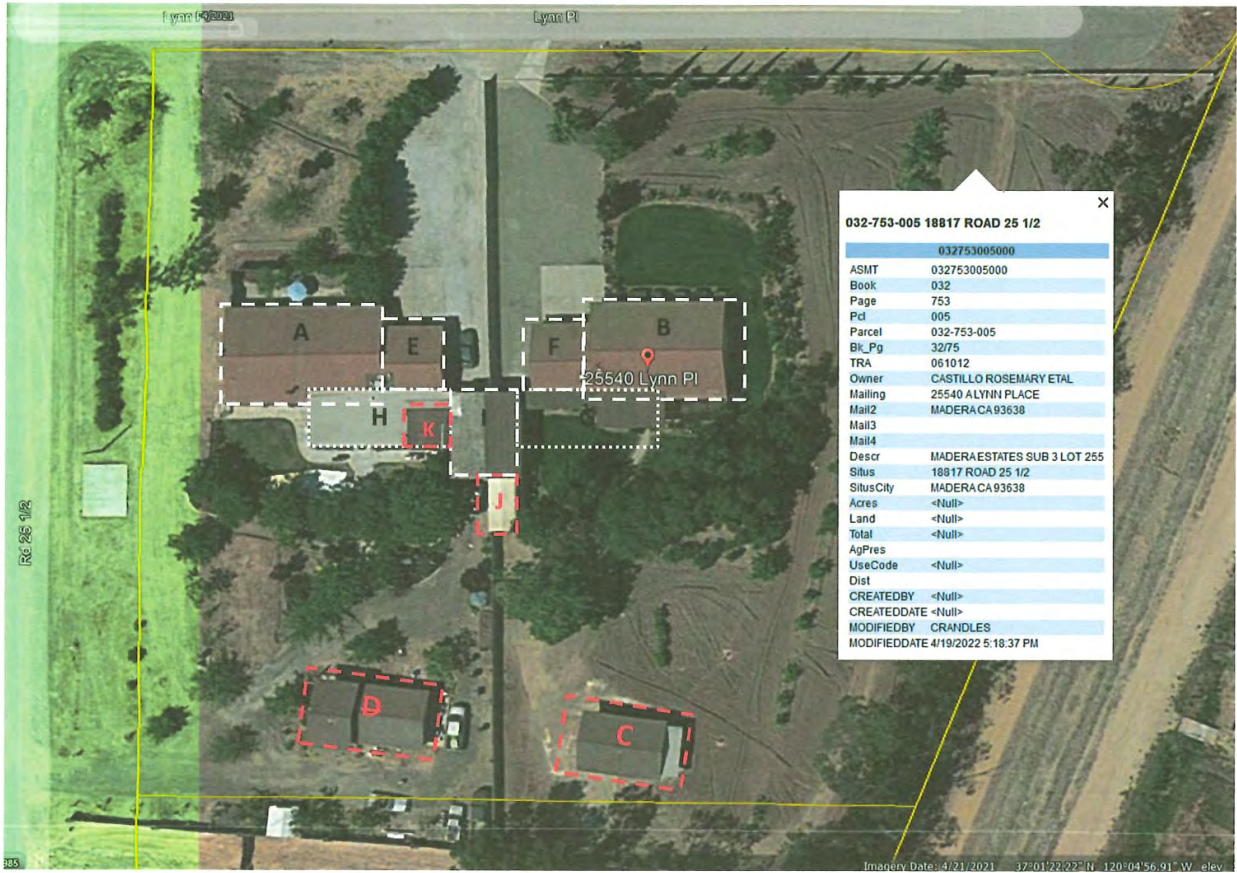
NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

Assessor's Map No. 32-75  
 Madera Unified School Dist.  
 Madera Outside  
 County of Madera, Calif.  
 1973

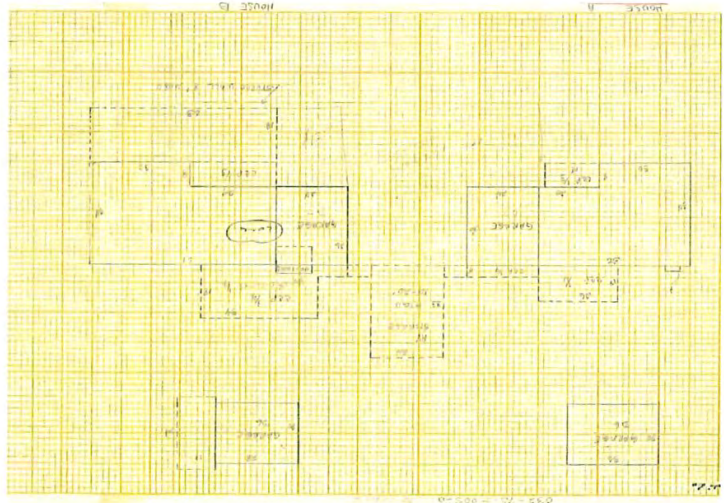
007-1-86  
 12-11  
 12-11-87

©2000 Madera County Assessor, All Rights Reserved.

EXHIBIT C



- C- Unpermitted Structures
- D- 23-0007-DEMO In-Progress
- J- Unpermitted Carport Extension
- K- 2017 unpermitted Deck addition

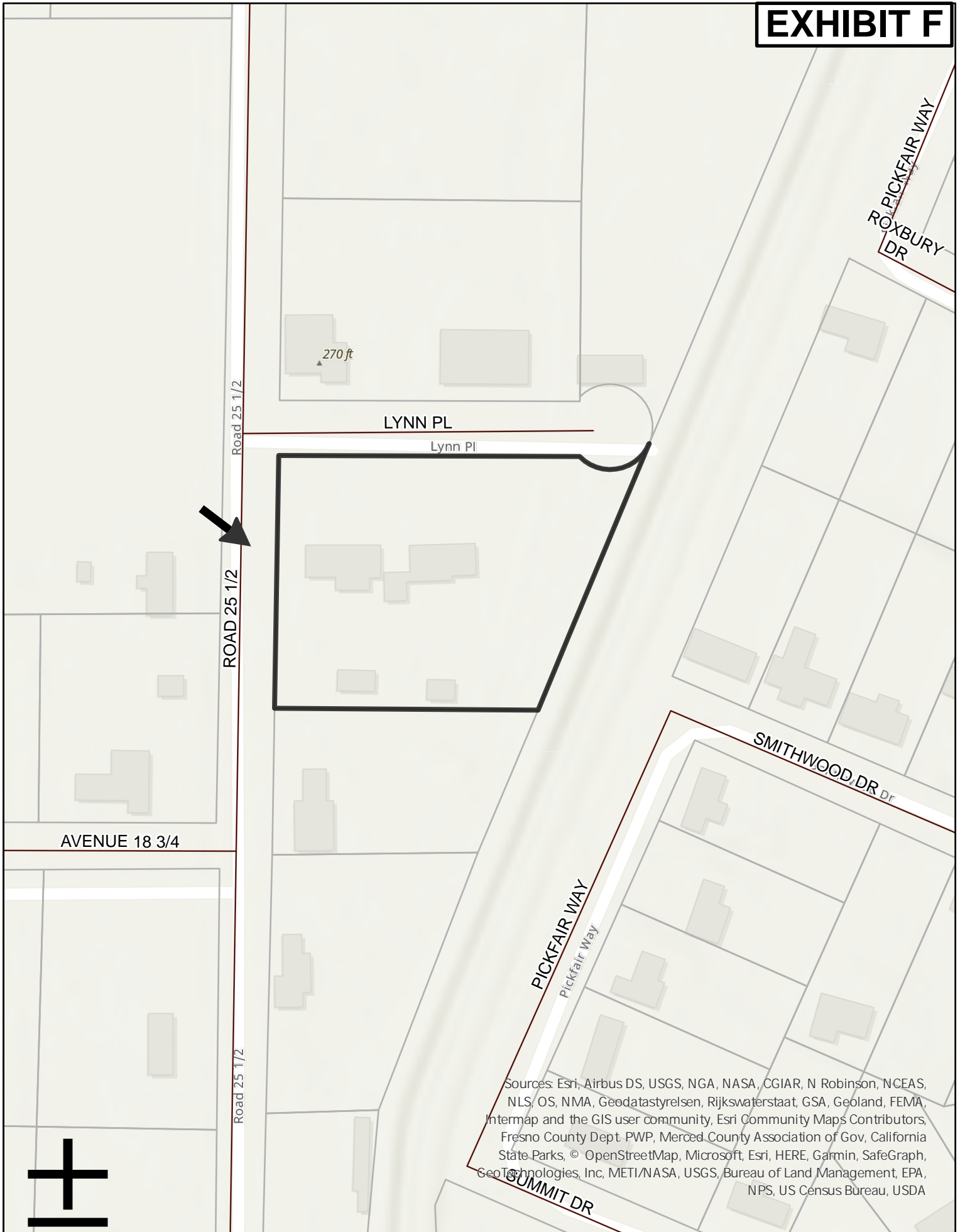


**SITE PLAN MAP**



**AERIAL MAP**

# EXHIBIT F



# TOPOGRAPHICAL MAP



Community and Economic Development  
Planning Division

- 200 W 4<sup>th</sup> Street
- Suite 3100
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc\_planning@maderacounty.com

**OPERATIONAL/ENVIRONMENTAL STATEMENT**  
**CHECKLIST**

It is important that the operational/environmental statement provides for a complete understanding of your project proposal. Please be as detailed as possible.

1. Please provide the following information:

Assessor's Parcel Number: 032-753-005-501

Applicant's Name: Rubio Gil S / Estela Rubio Ortiz

Address: 25540 Lynn Pl Apt B

Phone Number: (469) 585-2650

2. Describe the nature of your proposal/operation.

Divide parcels to sell property

3. What is the existing use of the property?

Residential

4. What products will be produced by the operation? Will they be produced onsite or at some other location? Are these products to be sold onsite?

N/A

5. What are the proposed operational time limits?

Months (if seasonal): N/A

Days per week: \_\_\_\_\_

Hours (from \_\_\_ to \_\_\_): Total Hours per day: \_\_\_\_\_

6. How many customers or visitors are expected?

Average number per day: N/A

Maximum number per day: \_\_\_\_\_

What hours will customers/visitors be there? \_\_\_\_\_

7. How many employees will there be?

Current: N/A

Future: \_\_\_\_\_

Hours they work: \_\_\_\_\_

Do any live onsite? If so, in what capacity (i.e. caretaker)? \_\_\_\_\_

8. What equipment, materials, or supplies will be used and how will they be stored? If appropriate, provide pictures or brochures.

N/A

9. Will there be any service and delivery vehicles? N/A

Number: \_\_\_\_\_

Type: \_\_\_\_\_

Frequency: \_\_\_\_\_

10. Number of parking spaces for employees, customers, and service/delivery vehicles. Type of surfacing on parking area.

N/A

11. How will access be provided to the property/project? (street name)

N/A

12. Estimate the number and type (i.e. cars or trucks) of vehicular trips per day that will be generated by the proposed development.

N/A

13. Describe any proposed advertising, including size, appearance, and placement.

N/A

14. Will existing buildings be used or will new buildings be constructed? Indicate which building(s) or portion(s) of will be utilized and describe the type of construction materials, height, color, etc. Provide floor plan and elevations, if applicable.

N/A

15. Is there any landscaping or fencing proposed? Describe type and location.

N/A

16. What are the surrounding land uses to the north, south, east and west property boundaries?

N/A

17. Will this operation or equipment used, generate noise above other existing parcels in the area?

N/A

18. On a daily or annual basis, estimate how much water will be used by the proposed development, and how is water to be supplied to the proposed development (please be specific).

N/A

19. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?

N/A

20. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of?

N/A

21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)

N/A

22. Are there any archeological or historically significant sits located on this property? If so, describe and show location on site plan.

N/A

23. Locate and show all bodies of water on application plot plan or attached map.

N/A

24. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.

N/A

25. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?

N/A

26. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)

N/A

27. How do you see this development impacting the surrounding area?

N/A

28. How do you see this development impacting schools, parks, fire and police protection or special districts?

N/A

29. If your proposal is for commercial or industrial development, please complete the following; Proposed Use(s):

Square feet of building area(s):

N/A

Total number of employees:

Building Heights:

30. If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map.

NA

---

---





Community and Economic Development  
Environmental Health Division

Dexter Marr  
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

---

MEMORANDUM

TO: Kamara Biawogi  
FROM: Dexter Marr, Environmental Health Division  
DATE: April 6, 2023  
RE: 525- - Rubio, Gil J - Rezoning - Madera(032-753-005-000)

---

Comments

All parcels shall comply with Madera County Code Title 13 as it relates to water and sewage disposal.

During the application process for any required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division.

The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise (s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.

If there are any questions or comments regarding these conditions/requirements, please contact this Division at (559) 675-7823.



Community and Economic Development  
Fire Prevention Division

Deborah Mahler, Fire Marshal  
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

---

**MEMORANDUM**

TO: Kamara Biawogi  
FROM: Deborah Mahler, Fire Marshal  
DATE: April 6, 2023  
RE: 525- - Rubio, Gil J - Rezoning - Madera(032-753-005-000)

---

**Condition**

Buildings crossing property lines, or unable to meet required setbacks must be removed prior to TPM.



# COUNTY OF MADERA

## DEPARTMENT OF PUBLIC WORKS

200 West 4th Street  
Madera, CA 93637-8720  
Main Line - (559) 675-7811  
Special districts - (559) 675-7820  
Fairmead Landfill - (559) 665-1310

---

### MEMORANDUM

**DATE:** March 24, 2023  
**TO:** Kamara Biawogi  
**FROM:** Phu Duong, Public Works  
**SUBJECT:** Tract No. - Mecchi Subdivision - Subdivision - Ahwahnee(055-080-054-000)

#### Conditions

Before any construction where such construction occurs within an existing public right-of-way, the developer must apply for an Encroachment Permit from the Public Works Department. Said permit must be approved prior to commencing the work.

All proposed driveway approaches must be designed per county standard ST-24A for residential use unless approved otherwise. The approach layout will be inspected by the Public Works inspector.

Due to the development being located within Caltrans facilities, the applicant will need to comply with any conditions imposed by Caltrans.

**County of Madera  
California Environmental Quality Act (CEQA)  
Initial Study**

- 1. Project title:** CZ #2023-001 – Gil J Rubio
- 2. Lead agency name and address:** County of Madera  
Community and Economic Development Department  
200 West 4<sup>th</sup> Street, Suite 3100  
Madera, California 93637
- 3. Contact person and phone number:** Kamara Biawogi, Planner III  
559-675-7821  
  
[Kamara.Biawogi@maderacounty.com](mailto:Kamara.Biawogi@maderacounty.com)
- 4. Project Location & APN:** The subject property is located on the southeast corner of Lynn Place and Road 25 1/2 (18817 ROAD 25 1/2), Madera.  
  
APN #: 032-753-005
- 5. Project sponsor's name and address:** Rubio Gil J  
25540 Lynn Place Apt. B  
Madera, CA 93638
- 6. General Plan Designation:** VLDR (Very Low Density Residential)
- 7. Zoning:** RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre)

**8. Description of project:**

The applicant is proposing a rezone from RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) to RRM (Residential Rural Median) District in order to meet the minimum lot size for a subsequent parcel split. The property currently has two single-family dwellings with unpermitted improvements. The application is working to permit or remove these structures. The parcel is 2.60 acres. The rezone to RRM (Residential Rural Median) District will minimize the parcel size requirement. This will enable the applicant to apply for a parcel map to split the lot into two. The proposed rezone to RRM (Residential Rural Median) District will be compatible with the underlying General Plan of VLDR (Very Low-Density Residential).

**9. Surrounding Land Uses and Setting:**

The parcels located south and north of the project site have a land use designation of Very Low Density Residential and are zoned RRM (Residential, Rural, Median) District and are developed with residential structures. The parcel located to the west has a land use designation of Very Low Density Residential and is zoned RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) District and is developed with residential structures. The parcel located to the east has an open space land use designation and is zoned OS (Open Space) for the existing canal.

**10. Other Public Agencies Whose Approval is Required:**

None.

**11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

In accordance with Public Resources Code Section 21080.3.1, notification letters were sent to tribal representatives of California Native American tribes that have requested to be notified of projects within the project area of Madera County. Tribal representatives were advised of the project and invited to request formal consultation with the County regarding the project within 30 days of receiving the notification letters. Eight notification letters were sent to representatives of the following tribes on April 11 2022:

- Table Mountain Rancheria
- Picayune Rancheria of the Chukchansi Indians
- Dumna Wo Wah Tribal Government
- Chowchilla Yokuts Tribe

As of the preparation of this Initial Study, more than 30 days following the County’s transmittal of notification letters, no requests for consultation have been received. Section XVIII of this Initial Study provides additional discussion of tribal cultural resources and outreach.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Aesthetics                | <input type="checkbox"/> Agricultural/Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources      | <input type="checkbox"/> Cultural Resources              | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology/Soils             | <input type="checkbox"/> Greenhouse Gas Emissions        | <input type="checkbox"/> Hazards & Hazardous Materials      |
| <input type="checkbox"/> Hydrology/Water Quality   | <input type="checkbox"/> Land Use/Planning               | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                     | <input type="checkbox"/> Population/Housing              | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                | <input type="checkbox"/> Transportation                  | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire                        | <input type="checkbox"/> Mandatory Findings of Significance |

<b>DETERMINATION</b> (to be completed by Lead Agency)	
On the basis of this initial evaluation:	
<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

**I. AESTHETICS**

Except as provided in Public Resources Code Section 21099, would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Responses:**

**(a) No Impact.** The project site and components would not be visible from any designated areas or have substantial characteristics of a scenic vista.

**(b) No Impact.** The project site does not contain scenic resources and is not visible from a state scenic highway.

**(c) Less Than Significant Impact.** The project site is zoned RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) and is surrounded by other residential zoned parcels. The project site has existing residential structures and does not represent a unique or otherwise important visual resource. The visual character will be consistent with the existing structures in the area. The project would not substantially alter the site’s character and would not result in visually dominant or adverse qualities affecting a substantial number of viewers. Therefore, the project’s change in the visual character of the site is considered less than significant.

**(d) Less than Significant Impact.** The project is located within a developed residential subdivision. There is potential for additional lighting from future developments; however, the additional lighting would be minimal. Lighting will be required to be hooded and directed down and away from neighboring parcels to maintain the visual character and mitigate light disbursement during the evenings.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

**II. AGRICULTURAL AND FORESTRY RESOURCES**

In determining whether agricultural impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**(a) No Impact.** The project site is designated as Urban and Built-Up Land by the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program. The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use (Department of Conservation, 2016).



**(b) No Impact.** The project site is not subject to a Williamson Act contract and is not zoned for agricultural use. The subject property is zoned RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) and has a land use designation of VLDR (Very Low Density Residential).

**(c - d) No Impact.** The project site does not contain forest land or forest resources and is not zoned for such uses.

**(e) No Impact.** The project would not involve changes to convert agricultural land or forest land to non-agricultural or non-forest land.

### **General Information**

The California Land Conservation Act of 1965 -- commonly referred to as the Williamson Act -- enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.

The Department of Conservation oversees the Farmland Mapping and Monitoring Program. The Farmland Mapping and Monitoring Program (FMMP) produce maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance. The program's definition of farmland classification is below:

**PRIME FARMLAND (P):** Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

**FARMLAND OF STATEWIDE IMPORTANCE (S):** Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

**UNIQUE FARMLAND (U):** Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

**FARMLAND OF LOCAL IMPORTANCE (L):** Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

**GRAZING LAND (G):** Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.

**URBAN AND BUILT-UP LAND (D):** Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

**OTHER LAND (X):** Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

**CONFINED ANIMAL AGRICULTURE:** Poultry facilities, feedlots, and dairy facilities – this use may be a component of Farmland of Local Importance in some counties.

**III. AIR QUALITY**

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with, or obstruct implementation of, the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Responses:**

**(a - b) Less Than Significant Impact.** The project was circulated to the (SJVAPCD) San Joaquin Valley Air Pollution Control District, no comments were received. The project is consistent with the Air Quality Element of the General Plan. The proposed project is a rezone to allow a subsequent parcel split that could produce additional housing. This would be a less-than-significant impact on air quality.

**(c) Less Than Significant Impact.** Sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential dwelling units. The closest sensitive receptor to the project site is the Oakhurst Elementary School located approximately one mile to the east of the project site on High School Road. As previously stated construction and operational emissions associated with the project are not expected to exceed any of the following District significance thresholds.

**(d) Less Than Significant Impact.** The proposed project does not entail any development. However, odors would be temporary and limited during the construction period of future single family developments. This impact would be less than significant.

Sensitive receptors are facilities that “house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollution. Hospitals, schools, convalescent facilities and residential areas are examples of sensitive receptors.” (GAMAQI, 2002).

Global Climate Change

Climate change is a shift in the “average weather” that a given region experiences. This is measured by changes in temperature, wind patterns, precipitation, and storms. Global climate is the change in the climate of the earth as a whole. It can occur naturally, as in the case of an ice age, or occur as a result of anthropogenic activities. The extent to which anthropogenic activities influence climate change has been the subject of extensive scientific inquiry in the past several decades. The Intergovernmental Panel on Climate Change (IPCC), recognized as the leading research body on the subject, issued its Fourth Assessment Report in February 2007, which asserted that there is “very high confidence” (by IPCC definition, a 9 in 10 chance of being correct) that human activities have resulted in a net warming of the planet since 1750.

CEQA requires an agency to engage in forecasting “to the extent that an activity could reasonably be expected under the circumstances. An agency cannot be expected to predict the future course of governmental regulation or exactly what information scientific advances may ultimately reveal” (CEQA Guidelines Section 15144, Office of Planning and Research commentary, citing the California Supreme Court decision in *Laurel Heights Improvement Association v. Regents of the University of California* [1988] 47 Cal. 3d 376).

Recent concerns over global warming have created a greater interest in greenhouse gases (GHG) and their contribution to global climate change (GCC). However at this time there are no generally accepted thresholds of significance for determining the impact of GHG emissions from an individual project on GCC. Thus, permitting agencies are in the position of developing policy and guidance to ascertain and mitigate to the extent feasible the effects of GHG, for CEQA purposes, without the normal degree of accepted guidance by case law.

**IV. BIOLOGICAL RESOURCES**

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of a native wildlife nursery site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**Responses:**

**(a, b, d) Less Than Significant Impact.** There are no habitats identified on this parcel, so no habitat modifications are expected as a result. There are no projects or activities associated with this project off-site, therefore there will be no indirect impacts to habitats as a result. While there are candidate species identified in the quadrangle in which this project is located, given the residential development that has occurred in the area over the years the chances of any of the listed species being on the parcel are less than likely.

The project is not located in a riparian or wetland habitat. Any impacts are anticipated to be less than significant.

The project site is zoned for residential uses and the surrounding properties are zoned for, residential and open space uses. The parcel is within a developed residential subdivision. The movement of any native wildlife species is expected less than significant.

**(c, e, f) No Impact.** The surrounding area is utilized for residential open space uses. The operation of this project is not anticipated to interfere with any habitats off-site, either directly or indirectly.

During the construction of the facilities on site there is the potential of minimally impacting the migration patterns of listed species. This is due to noise production during the process of construction, which animals will instinctively avoid. This will be a temporary occurrence for the duration of the construction. Any disruption will be minimal as a result and will return to baseline levels at conclusion of the project construction. Operations of the facilities will have negligible impacts.

While the list below shows several species listed in the quadrangle in which this project is located,

this does not necessarily mean that these species are actually located on the project site either in a habitat setting or migrating through.

The project will not conflict with any local policies or ordinances protecting biological resources or provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

**General Information**

Special Status Species include:

- Plants and animals that are legally protected or proposed for protection under the California Endangered Species Act (CESA) or Federal Endangered Species Act (FESA);
- Plants and animals defined as endangered or rare under the California Environmental Quality Act (CEQA) §15380;
- Animals designated as species of special concern by the U.S. Fish and Wildlife Service (USFWS) or California Department of Fish and Game (CDFG);
- Animals listed as “fully protected” in the Fish and Game Code of California (§3511, §4700, §5050 and §5515); and
- Plants listed in the California Native Plant Society’s (CNPS) Inventory of Rare and Endangered Vascular Plants of California.

A review of both the County’s and Department of Fish and Game’s databases for special status species have identified the following species:

Species	Federal Listings	State Listings	Dept. of Fish and Wildlife Listings	CNPS Listings
California tiger salamander - central California DPS	Threatened	Threatened	WL	-
western spadefoot	None	None	SSC	-
Swainson's hawk	None	Threatened	-	-
burrowing owl	None	None	SSC	-
vernal pool fairy shrimp	Threatened	None	-	-
midvalley fairy shrimp	None	None	-	-
California linderiella	None	None	-	-
moestan blister beetle	None	None	-	-
Northern Hardpan Vernal Pool	None	None	-	-
spiny-sepaled button-celery	None	None	-	1B.2
Munz's tidy-tips	None	None	-	1B.2
San Joaquin Valley Orcutt grass	Threatened	Endangered	-	1B.1
hairy Orcutt grass	Endangered	Endangered	-	1B.1
Greene's tuctoria	Endangered	Rare	-	1B.1
shining navarretia	None	None	-	1B.2

## **Kismet Quadrangle**

List 1A: Plants presumed extinct

List 1B: Plants Rare, Threatened, or Endangered in California and elsewhere.

List 2: Plants Rare, Threatened, or Endangered in California, but more numerous elsewhere

List 3: Plants which more information is needed – a review list

List 4: Plants of Limited Distributed - a watch list

### **Ranking**

0.1 – Seriously threatened in California (high degree/immediacy of threat)

0.2 – Fairly threatened in California (moderate degree/immediacy of threat)

0.3 – Not very threatened in California (low degree/immediacy of threats or no current threats known)

SSC Species of Special Concern

WL Watch List

FP Fully Protected

Effective January 1, 2007, Senate Bill 1535 took effect that has changed de minimis findings procedures. The Senate Bill takes the de minimis findings capabilities out of the Lead Agency hands and puts the process into the hands of the California Department of Fish and Wildlife (formally the California Department of Fish and Game). A Notice of Determination filing fee is due each time a NOD is filed at the jurisdictions Clerk's Office. The authority comes under Senate Bill 1535 (SB 1535) and Department of Fish and Wildlife Code 711.4. Each year the fee is evaluated and has the potential of increasing. For the most up-to-date fees, please refer to: [http://www.dfg.ca.gov/habcon/ceqa/ceqa\\_changes.html](http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html).

The Valley elderberry longhorn beetle was listed as a threatened species in 1980. Use of the elderberry bush by the beetle, a wood borer, is rarely apparent. Frequently, the only exterior evidence of the elderberry's use by the beetle is an exit hole created by the larva just prior to the pupal stage. According to the USFWS, the Valley Elderberry Longhorn Beetle habitat is primarily in communities of clustered Elderberry plants located within riparian habitat. The USFWS stated that VELB habitat does not include every Elderberry plant in the Central Valley, such as isolated, individual plants, plants with stems that are less than one inch in basal diameter or plants located in upland habitat.

Wetlands are defined under Title 33 §328.3 of the California Code of Regulations as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas."

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------------	---	------------------------------------	--------------

**V. CULTURAL RESOURCES**

Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?      | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of formal cemeteries?                          | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Responses:**

**(a - d) Less Than Significant Impact.** While the County is known to potentially have historical and archaeological resources, due to the development of project site and surrounding properties as agricultural, the chances of finding any archaeological or paleontological resources are less than likely. Most of the paleontological finds in Madera County have been found in the proximity of the landfill, located near the community of Fairmead. Most of the historical finds in Madera County have been found in the mountain and foothill areas above the valley floor due to previous Native American presence in the area. However, any new findings are unlikely on this parcel because the project is located in the unincorporated area of Madera and within a developed residential subdivision. The likelihood of any finds in this area is minimal. There are no known fossil-bearing sediments on the project site. No known unique geological features in the vicinity of the project site exist. However, there is still the potential for uncovering previously unknown human remains or cemeteries. Therefore, the project will cease all operations if any human remains, cemeteries, archaeological, paleontological, or historic resource is uncovered during the construction or operational phase of the project, until the County can determine whether or not the project can continue.

If project construction-related activities (including but not limited to ground disturbing activities) result in the disturbing of subsurface cultural deposits, project-related activities should be halted, and a professional archaeologist will be brought in to determine the culture of the deposits.

**General Information**

Public Resource Code 5021.1(b) defines a historic resource as “any object building, structure, site, area or place which is historically significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.” These resources are of such import, that it is codified in CEQA (PRC Section 21000) which prohibits actions that “disrupt, or adversely affect a prehistoric or historic archaeological site or a property of historical or cultural significance to a community or ethnic or social groups; or a paleontological site except as part of a scientific study.”

Archaeological importance is generally, although not exclusively, a measure of the archaeological

research value of a site which meets one or more of the following criteria:

- Is associated with an event or person of recognized significance in California or American history or of recognized scientific importance in prehistory.
- Can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable archaeological research questions.
- Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind.
- Is at least 100 years old and possesses substantial stratigraphic integrity (i.e. it is essentially undisturbed and intact).
- Involves important research questions that historic research has shown can be answered only with archaeological methods.

(CEQA Guidelines §15064.5 for definitions)

Paleontology is a branch of geology that studies the life forms of the past, especially prehistoric life forms, through the study of plant and animal fossils. Paleontological resources represent limited, non-renewable and impact sensitive and educational resources. Most of the paleontological finds have been on the valley floor.

\_\_\_\_\_

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>VI. ENERGY</b>				
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Responses:**

**(a - b) Less Than Significant Impact.** California has implemented numerous energy efficiency and conservation programs that have resulted in substantial energy savings. The State has adopted comprehensive energy efficiency standards as part of its Building Standards Code, California Codes of Regulations, Title 24. In 2009, the California Building Standards Commission adopted a voluntary Green Building Standards Code, also known as CALGreen, which became mandatory in 2011. CALGreen sets forth mandatory measures applicable to new residential and non-residential structures and additions and alterations on water efficiency and conservation, building material conservation, interior environmental quality, and energy efficiency.



Additionally, California has adopted a Renewables Portfolio Standard, which requires electricity retailers in the state to generate 33 percent of the electricity they sell from renewable energy sources (i.e., solar, wind, geothermal, hydroelectric from small generators, etc.) by the end of 2020. In 2018, SB 100 was signed into law, which increases the electricity generation requirement from renewable sources to 60% by 2030 and requires all the state's electricity to come from carbon-free resources by 2045. The main sources of energy consumption would be construction activities and ongoing project operations. Project construction would involve fuel consumption and use of other nonrenewable resources. Construction equipment used for such improvements typically runs on diesel fuel or gasoline. The same fuels are typically used for vehicles transporting equipment and workers to and from a construction site. However, construction-related fuel consumption would be finite, short-term and consistent with construction activities of a similar character. This energy use would not be considered wasteful, inefficient or unnecessary. Equipment overtime would be more energy-efficient in order to assist with meeting State emissions reduction goals. Additionally, under California's Renewable Portfolio Standard, a greater share of electricity would be provided from renewable energy sources over time, so less fossil fuel consumption to generate electricity would occur. The Project would be required to comply with the building energy efficiency standards of California Code of Regulations Title 24, Part 6, also known as the California Energy Code. Compliance with these standards would reduce energy consumption associated with project operations, although reductions from compliance cannot be readily quantified at this time. Overall, project construction and operations would not consume energy resources in a manner considered wasteful, inefficient, or unnecessary; the project would also not conflict or obstruct any state or local plans for renewable energy efficiency. project impacts related to energy consumption are considered less than significant.

**VII. GEOLOGY AND SOILS**

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Responses:**

**(a i - iv) Less than Significant Impact.** According to the California Earthquake Hazards Zone Application (EQ Zapp) located on the Department of Conservation, the project is not within an Earthquake Fault Zone (Department of Conservation , 2021).

The Earthquake Shaking Potential for California Map located on the Department of Conservations website displays the Level of hazards regarding ground shaking for each county. According to the map, Madera is located in a region distant from known active faults and will experience lower levels of shaking less frequently. In most earthquakes, only weaker, masonry buildings would be damaged. However, very infrequent earthquakes could still cause strong shaking. The project area is topographically flat, with no potential for landslides (Department of Conservation , 2016).

**(b) Less Than Significant Impact.** The parcel is subject to potential erosion due to rain events; however, with the implementation of HYDRO MM-1, construction project proponents will be required to submit a Notice of Intent and Storm Water Pollution Prevention Plan (SWPPP) to the Regional Water Quality Board to obtain a National Pollutant Discharge Elimination System (NPDES) General Construction Permit. The SWPPP will include Best Management Practices (BMPs) to control erosion and siltation on the site in order to prevent water quality degradation. Such measures may include, but are not limited to, covering the graded area with straw or straw matting and using water for dust control. Due to the flat nature of the project site, future development within the project site would result in a less than significant soil erosion impact.

**(c) Less Than Significant Impact.** The project site is not located in an earthquake fault zone and is in an area with a low probability of seismic activity. Lateral spreading, subsidence, and collapse are uncommon in Madera County. Since the project site is not located on a geologic unit or soil that is unstable or would become unstable due to project activities, there is little to no potential for result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. Impacts from these criteria are considered less than significant.

**(d) Less Than Significant Impact.** Soils associated with a high risk for expansion are generally characterized as dense materials with less air-filled voids and therefore have a greater potential to undergo volume change. The volume of change is influenced by the quantity of moisture, the kind and amount of clay in the soil, and the original porosity of the

soil. According to the U.S. Department of Agriculture, Natural Resources Conservation Services Web Soil Survey, identified soil on the project site consists of San Joaquin sandy loam, 0 to 3 percent slopes (SaA). The soil characteristics of the project site can be seen in Figure 3. This soil drainage classification is moderately well drained when subjected to fluctuations in moisture and has a low potential for liquefaction or ground failure. Based on the known conditions of the soils documented on the project site, risks to life or property as a result of expansive soils are not substantial, and the impact of expansive soil on the future project site development will be less than significant.

**(e) No Impact.** The proposed project does not have any proposed development and therefore would not disrupt the efficiency of septic tanks or alternative wastewater disposal systems.

**(f) Less Than Significant Impact.** With the existing mitigations placed under section V. *Cultural Resources*, no significant impacts are expected regarding the disruption of any unique paleontological resources or sites or unique geologic features.

### **General Information**

Madera County is divided into two major physiographic and geologic provinces: the Sierra Nevada Range and the Central Valley. The Sierra Nevada physiographic province in the northeastern portion of the county is underlain by metamorphic and igneous rock. It consists mainly of homogenous types of granitic rocks, with several islands of older metamorphic rock. The central and western parts of the county are part of the Central Valley province, underlain by marine and non-marine sedimentary rocks.

The foothill area of the county is essentially a transition zone, containing old alluvial soils that have been dissected by the west-flowing rivers and streams which carry runoff from the Sierra Nevada's.

Seismicity varies greatly between the two major geologic provinces represented in Madera County. The Central Valley is an area of relatively low tectonic activity bordered by mountain ranges on either side. The Sierra Nevada's, partly within Madera County, are the result of movement of tectonic plates which resulted in the creation of the mountain range. The Coast Ranges on the west side of the Central Valley are also a result of these forces, and continued movement of the Pacific and North American tectonic plates continues to elevate the ranges. Most of the seismic hazards in Madera County result from movement along faults associated with the creation of these ranges.

There are no active or potentially active faults of major historic significance within Madera County. The County does not lie within any Alquist Priolo Special Studies Zone for surface faulting or fault creep. However, there are two significant faults within the larger region that have been and will continue to be, the principle sources of potential seismic activity within Madera County.

**San Andreas Fault:** The San Andreas Fault lies approximately 45 miles west of the county line. The fault has a long history of activity and is thus a concern in determining activity in the area.

**Owens Valley Fault Group:** The Owens Valley Fault Group is a complex system containing both active and potentially active faults on the eastern base of the Sierra Nevada Range. This group is located approximately 80 miles east of the County line in Inyo County. This system has historically been the source of seismic activity within the County.

The *Draft Environmental Impact Report* for the state prison project near Fairmead identified faults within a 100 mile radius of the project site. Since Fairmead is centrally located along Highway 99 within the county, this information provides a good indicator of the potential seismic activity which might be felt within the County. Fifteen active faults (including the San Andreas and Owens Valley Fault Group) were identified in the *Preliminary Geotechnical Investigation*. Four of the faults lie along the eastern portion of the Sierra Nevada Range, approximately 75 miles to the northeast of Fairmead. These are the Parker Lake, Hartley Springs, Hilton Creek and Mono Valley Faults. The remaining faults are in the western portion of the San Joaquin Valley, as well as within the Coast Range, approximately 47 miles west of Fairmead. Most of the remaining 11 faults are associated with the San Andreas, Calaveras, Hayward and Rinconada Fault Systems which collectively form the tectonic plate boundary of the Central Valley.

In addition, the Clovis Fault, although not having any historic evidence of activity, is considered to be active within quaternary time (within the past two million years), is considered potentially active. This fault line lies approximately six miles south of the Madera County line in Fresno County. Activity along this fault could potentially generate more seismic activity in Madera County than the San Andreas or Owens Valley fault systems. However, because of the lack of historic activity along the Clovis Fault, there is inadequate evidence for assessing maximum earthquake impacts.

Seismic ground shaking, however, is the primary seismic hazard in Madera County because of the County's seismic setting and its record of historical activity (General Plan Background Element and Program EIR). The project represents no specific threat or hazard from seismic ground shaking, and all new construction will comply with current local and state building codes. Other geologic hazards, such as landslides, lateral spreading, subsidence, and liquefaction have not been known to occur within Madera County.

According to the Madera County General Plan Background Report, groundshaking is the primary seismic hazard in Madera County. The valley portion of Madera County is located on alluvium deposits, which tend to experience greater groundshaking intensities than areas located on hard rock. Therefore, structures located in the valley will tend to suffer greater damage from groundshaking than those located in the foothill and mountain areas.

Liquefaction is a process whereby soil is temporarily transformed to a fluid form during intense and prolonged ground shaking. According to the Madera County General Plan Background Report, although there are areas of Madera County where the water table is at 30 feet or less below the surface, soil types in the area are not conducive to liquefaction because they are either too coarse in texture or too high in clay content; the soil types mitigate against the potential for liquefaction.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

**VIII. GREENHOUSE GAS EMISSIONS**

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Responses:**

**(a) No Impact.** The project in and of itself will not generate greenhouse gases that will impact the environment. No development is associated with the proposed rezoning. The subsequent zone district will have by-right residential uses. This aligns with the existing and surrounding zone districts currently.

**(b) No Impact.** There is no anticipated impact as a result of this project.

Greenhouse Gas (GHG) Emissions: The potential effect of greenhouse gas emission on global climate change is an emerging issue that warrants discussion under CEQA. Unlike the pollutants discussed previously that may have regional and local effects, greenhouse gases have the potential to cause global changes in the environment. In addition, greenhouse gas emissions do not directly produce a localized impact, but may cause an indirect impact if the local climate is adversely changed by its cumulative contribution to a change in global climate. Individual development projects contribute relatively small amounts of greenhouse gases that when added to other greenhouse gas producing activities around the world would result in an increase in these emissions that have led many to conclude is changing the global climate. However, no threshold has been established for what would constitute a cumulatively considerable increase in greenhouse gases for individual development projects. The State of California has taken several actions that help to address potential global climate change impacts.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, outlines goals for local agencies to follow in order to bring Greenhouse Gas (GHG) emissions to 1990 levels (a 25% overall reduction) by the year 2020. The California Air Resources Board (CARB) holds the responsibility of monitoring and reducing GHG emissions through regulations, market mechanisms and other actions. A Draft Scoping Plan was adopted by CARB in order to provide guidelines and policy for the State to follow in its steps to reduce GHG. According to CARB, the scoping plan’s GHG reduction actions include: direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

Following the adoption of AB 32, the California State Legislature adopted Senate Bill 375, which became the first major bill in the United States that would aim to limit climate change by linking directly to “smart growth” land use principles and transportation. It adds incentives for projects which intend to be in-fill, mixed use, affordable and self-contained developments. SB 375 includes the creation of a Sustainable Communities Strategy (SCS) through the local Metropolitan Planning Organizations (MPO) in order to create land use patterns which reduce overall emissions and vehicle miles traveled. Incentives include California Environmental Quality Act streamlining and possible exemptions for projects which fulfill specific criteria.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------------	---	------------------------------------	--------------

**IX. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Responses:**

**(a - c) Less Than Significant Impact.** The proposed project consists of a rezone from RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) to RRM (Residential Rural Median) District in order to meet the minimum lot size for a subsequent parcel split. No development is associated with this project. Any unpermitted structures will be inspected and/or removed, resulting in removal of any hazardous materials that could harm the public or the environment.

By definition, a hazardous material is any material that has components that make it hazardous but has not been used for its' intended purpose. A hazardous waste is a hazardous material that has been utilized for its' intended purpose and is typically no longer useable. The current business

use does not include storage or disposal of any type of hazardous waste. Therefore less than significant impacts from the project are expected.

There are no schools within one-quarter mile of the proposed business. Their project is adjacent to other commercially zoned properties.

**(d – e) No Impact.** The subject property does not appear on a list of hazardous materials sites. The proposed project is not located within an airport land use plan, airport, or private airstrip.

**(f - g) Less Than Significant Impact.** The project is not expected to interfere with an adopted emergency response plan or emergency evacuation plan.

**General Information**

Any hazardous material because of its quantity, concentration, physical or chemical properties, pose a significant present or potential hazard to human health and safety, or the environment the California legislature adopted Article I, Chapter 6.95 of the Health and Safety Code, Sections 25500 to 25520 that requires any business handling or storing a hazardous material or hazardous waste to establish a Business Plan. The information obtained from the completed Business Plans will be provided to emergency response personnel for a better-prepared emergency response due to a release or threatened release of a hazardous material and/or hazardous waste.

Business owners that handle or store a hazardous material or mixtures containing a hazardous material, which has a quantity at any one time during the year, equal to or greater than:

- 1) A total of 55 gallons,
- 2) A total of 500 pounds,
- 3) 200 cubic feet at standard temperature and pressure of compressed gas,
- 4) Any quantity of Acutely Hazardous Material (AHM).

Assembly Bill AB 2286 requires all business and agencies to report their Hazardous Materials Business Plans to the Certified Unified Program Agency (CUPA) information electronically at <http://cers.calepa.ca.gov>.

**X. HYDROLOGY AND WATER QUALITY**

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**(a - b) No Impact.** No impacts have been identified as a result of this project. Minimal usage of water is expected, as well as minimal wastewater generation is expected. The proposed rezone is not expected to have additional impacts to the current, existing by-right useage. The existing dwellings are served by individual well and septic.

**(ci - iv) Less than Significant Impact.** The operations of the proposed project will have a less than significant impact due to the conditions that our Public Works Department has placed which requires the applicant to submit a driveway approach and apply for an encroachment permit.

**(d - e) No Impact.** No impacts have been identified as a result of this project.

**General Information**

Groundwater quality contaminants of concern in the Valley Floor include high salinity (total dissolved solids), nitrate, uranium, arsenic, methane gas, iron, manganese, slime production, and dibromochloropropane with the maximum contaminant level exceeded in some areas. Despite the water quality issues noted above, most of the groundwater in the Valley Floor is of suitable quality for irrigation. Groundwater of suitable quality for public consumption has been demonstrated to be present in most of the area at specific depths.

Groundwater quality contaminants of concern in the Foothills and Mountains include manganese, iron, high salinity, hydrogen sulfide gas, uranium, nitrate, arsenic, and methylbutylethylene



(MTBE) with the maximum concentration level being exceeded in some areas. Despite these problems, there are substantial amounts of good-quality groundwater in each of the areas evaluated in the Foothills and Mountains. Iron and manganese are commonly removed by treatment. Uranium treatment is being conducted on a well by the Bass Lake Water Company.

A seiche is an occasional and sudden oscillation of the water of a lake, bay or estuary producing fluctuations in the water level and caused by wind, earthquakes or changes in barometric pressure. A tsunami is an unusually large sea wave produced by seaquake or undersea volcanic eruption (from the Japanese language, roughly translated as “harbor wave”). According to the California Division of Mines and Geology, there are no active or potentially active faults of major historic significance within Madera County. As this property is not located near any bodies of water, no impacts are identified.

The flood hazard areas of the County of Madera are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstruction in areas of special flood hazards which increase flood height and velocities also contribute to flood loss.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

**XI. LAND USE AND PLANNING**

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Responses:**

**(a) No Impact.** The project would not divide an established community

**(b) No Impact.** The project would not conflict with the County General Plan or other land use plan policies or regulations adopted to avoid or mitigate an environmental effect.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

**XII. MINERAL RESOURCES**

Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

**Responses:**

**(a - b) No Impact.** The project site is not within an area identified as having a known mineral resource of value to the state or region. The site is not in an area delineated in the Madera County General Plan or other land use plan as a locally important mineral resource recovery site.

**XIII. NOISE**

Would the project result in:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?

b) Generation of excessive groundborne vibration or groundborne noise levels?

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

**Responses:**

**(a-b) No Impact** A proposed rezone from RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) to RRM (Residential Rural Median) District in order to meet the minimum lot size for a subsequent parcel split. This project will initiate the steps to clean the parcel from violations, incomplete permits, and illegal structures. No development has been established with this project and therefore would not generate a substaintale increase in noise.

**c) No Impact.** This project is not within proximity to an airstrip or airport. It is not within an airport/airspace overlay district. There will be no impacts as a result.

**General Discussion**

The Noise Element of the Madera County General Plan (Policy 7.A.5) provides that noise which will be created by new non-transportation noise sources shall be mitigated so as not to exceed the Noise Element noise level standards on lands designated for noise-sensitive uses. However, this policy does not apply to noise levels associated with agricultural operations. All the surrounding properties, while include some residential units, are designated and zoned for

agricultural uses. This impact is therefore considered less than significant.

Construction noise typically occurs intermittently and varies depending upon the nature or phase of construction (e.g. demolition/land clearing, grading and excavation, erection). The United States Environmental Protection Agency has found that the average noise levels associated with construction activities typically range from approximately 76 dBA to 84 dBA Leq, with intermittent individual equipment noise levels ranging from approximately 75 dBA to more than 88 dBA for brief periods.

Short Term Noise

Noise from localized point sources (such as construction sites) typically decreases by approximately 6 dBA with each doubling of distance from source to receptor. Given the noise attenuation rate and assuming no noise shielding from either natural or human-made features (e.g. trees, buildings, and fences), outdoor receptors within approximately 400 feet of construction site could experience maximum noise levels of greater than 70 dBA when onsite construction-related noise levels exceed approximately 89 dBA at the project site boundary. Construction activities that occur during the more noise-sensitive eighteen hours could result in increased levels of annoyance and sleep disruption for occupants of nearby existing residential dwellings. As a result, noise-generating construction activities would be considered to have a potentially significant short-term impact. However with implementation of mitigation measures, this impact would be considered less than significant.

Long Term Noise

Mechanical building equipment (e.g. heating, ventilation and air conditioning systems, and boilers), associated with the proposed structures, could generate noise levels of approximately 90 dBA at 3 feet from the source. However, such mechanical equipment systems are typically shielded from direct public exposure and usually housed on rooftops, within equipment rooms, or within exterior enclosures.

Landscape maintenance equipment, such as leaf blowers and gasoline powered mowers, could result in intermittent noise levels that range from approximately 80 to 100 dBA at 3 feet, respectively. Based on an equipment noise level of 100 dBA, landscape maintenance equipment (assuming a noise attenuation rate of 6 dBA per doubling of distance from the source) may result in exterior noise levels of approximately 75 dBA at 50 feet.

MAXIMUM ALLOWABLE NOISE EXPOSURE FOR  
NON-TRANSPORTATION NOISE SOURCES\*

		Residential	Commercial	Industrial (L)	Industrial (H)	Agricultural
Residential	AM	50	60	55	60	60
	PM	45	55	50	55	55
Commercial	AM	60	60	60	65	60
	PM	55	55	55	60	55
Industrial (L)	AM	55	60	60	65	60
	PM	50	55	55	60	55
Industrial (H)	AM	60	65	65	70	65
	PM	55	60	60	65	60
Agricultural	AM	60	60	60	65	60

	PM	55	55	55	60	55
<p>*As determined at the property line of the receiving land use. When determining the effectiveness of noise mitigation measures, the standards may be applied on the receptor side of noise barriers at the property line.</p> <p>AM = 7:00 AM to 10:00 PM  PM = 10:00 PM to 7:00 AM  L = Light  H = Heavy</p> <p>Note: Each of the noise levels specified above shall be lowered by 5 dB for pure tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g. caretaker dwellings).</p>						

Sensitive Noise Receptors include residential areas, hospitals, schools, performance spaces, businesses, and religious congregations.

Vibrating objects in contact with the ground radiate energy through the ground. Vibrations from large and/or powerful objects are perceptible by humans and animals. Vibrations can be generated by construction equipment and activities. Vibrations attenuate depending on soil characteristics and distance. Vibration perception threshold: The minimum ground or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. The perception threshold shall be presumed to be a motion velocity of one-tenth (0.1) inches per second over the range of one to one hundred Hz.

<b>Reaction of People and Damage to Buildings from Continuous Vibration Levels</b>		
<b>Velocity Level, PPV (in/sec)</b>	<b>Human Reaction</b>	<b>Effect on Buildings</b>
0.006 to 0.019	Threshold of perception; possibility of intrusion	Damage of any type unlikely
0.08	Vibration readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10	Continuous vibration begins to annoy people	Virtually no risk of architectural damage to normal buildings
0.20	Vibration annoying to people in buildings	Risk of architectural damage to normal dwellings such as plastered walls or ceilings
0.4 to 0.6	Vibration considered unpleasant by people subjected to continuous vibrations	Architectural damage and possibly minor structural damage

	vibration	
Source: Whiffen and Leonard 1971		

**XIV. POPULATION AND HOUSING**

Would the project:

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?
  
- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**(a) Less Than Significant Impact.** The project will lead to a subsequent parcel split that could create an opportunity for an additional residence to be constructed. This would be not be considered a substantial population growth in the already developed subdivision.

**(b) No Impact.** The project is located on a vacant site and would not displace housing or people.

**XV. PUBLIC SERVICES**

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Responses:**

**(a – i-ii) Less Than Significant Impact.** The project could increase the risk of emergency services being provided to the project site; however, the increase would be minimal and would not require new or physically altered governmental facilities. Therefore, the project would have a less than significant impact.

There are fire stations in Coarsegold and Oakhurst would respond to this location. The closest station is CalFire Station #12 in Oakhurst, directly north of the project site.

The project itself would not increase the potential of fires in the area. Dependent on fire marshal requirements, fire sprinklers and/or alarm systems need to be in place as a part of the new construction.

The proposed project in and of itself would not result in any additional demands for police protection with the exception of ancillary need for potential events of vandalism and theft.

Crime and emergency response is provided by the Madera County Sherriff's Department. There will be an incidental need for law enforcement in the events of theft and vandalism on the project site.

A Federal Bureau of Investigations 2009 study suggests that there is on average of 2.7 law enforcement officials per 1,000 population for all reporting counties. The number for cities had an average of 1. 7 law enforcement officials per 1,000 population.

**(a – iii through v) No Impact.** The project would not result in new or physically altered governmental facilities to maintain acceptable service ratios, response times, or other performance objectives for any public services. And therefore, the project will have no impact.

\_\_\_\_\_

**XVI. RECREATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Responses:**

**(a – b) No Impact.** The project would not result in the need for new or physically altered governmental or recreational facilities. The project consists of a residential rezone and would not result in an increase in population or the need for parks or recreational facilities and, as a result, would have no impact.

**XVII. TRANSPORTATION**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

Would the project:

a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

c) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

d) Result in inadequate emergency access?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

**Responses:**

**(a) No Impact.** In the area around the proposed project, opportunities for bicycles and

pedestrians, especially as an alternative to the private automobile, are significantly limited by lack of developed shoulders, sidewalks or pavement width accommodating either mode. The condition is not uncommon in rural areas where distances between origins and destinations are long and the terrain is either rolling or mountainous. In the locations outside urbanized portions of the County, the number of non-recreational pedestrians/cyclists would likely be low, even if additional facilities were provided.

As with most rural areas, Madera County is served by limited alternative transportation modes. Currently, only limited public transportation facilities or routes exist within the area. Volunteer systems such as the driver escort service, as well as the senior bus system, operate for special purpose activities and are administered by the Madera County Action Committee. The rural densities which are prevalent throughout the region have typically precluded successful public transit systems, which require more concentrated populations in order to gain sufficient ridership.

Local circulation is largely deficient with these same State Highways and County Roads composing the only existing network of through streets. Most local streets are dead-end drives, many not conforming to current County improvement standards. Existing traffic, particularly during peak hour and key intersections, already exhibits congestion.

During the period of any potential construction of the project, it is expected that there will be some construction related vehicles.

**(b) Less Than Significant Impact.** Madera County has not yet adopted its own VMT analysis guidelines and standards of significance. In lieu of that guidance, the Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA provides recommended thresholds for determining the significance of VMT impacts associated with land use development projects. The directive addresses several VMT impact analysis aspects and provides a VMT Screening Evaluation (VMTSE). The VMTSE assists in determining if a project would result in an impact.

The VMT impact of the project’s storage building uses can be presumed to be less than significant based on OPR screening criteria.

**(c) Less Than Significant Impact.** The project will continue to utilize the current access off Lynn Place.

**(d) No Impact.** The project will not result in inadequate emergency response and therefore have no impact.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

**XVIII. TRIBAL CULTURAL RESOURCES**

Would the project:

- a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code



Section 21074 as either a site, feature, place cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- |     |   |                          |                          |                          |                                     |
|-----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i.  | Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii. | A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Responses:**

**(a – i, ii) No Impact.** In accordance with Public Resources Code Section 21080.3.1, notification letters were sent to tribal representatives of California Native American tribes that have requested to be notified of projects within the project area of Madera County. Tribal representatives were advised of the Project and invited to request formal consultation with the County regarding the Project within 30 days of receiving the notification letters. Notification letters were sent to:

- Table Mountain Rancheria
- Picayune Rancheria of the Chukchansi Indians
- Dumna Wo Wah Tribal Government
- Chowchilla Yokuts Tribe

As of the preparation of this Initial Study, more than 30 days following the County’s transmittal of notification letters, no tribal representatives requested consultation. No tribal cultural resources have been identified associated with the site.

\_\_\_\_\_

**XIX. UTILITIES AND SERVICE SYSTEMS**

Would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it had adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Responses:**

**(a–c) Less Than Significant Impact.** The project consist of a rezone from RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) to RRM (Residential Rural Median) District in order to meet the minimum lot size for a subsequent parcel split. This project will initiate the steps to clean the parcel from violations, incomplete permits, and illegal structures. Future residential development may increase the need for utility services. Regardless, all parcels shall comply with Madera County Code Title 13 as it relates to water and sewage dispoal.

**(d-e) No Impact.** Solid waste generated by the project would not be expected to exceed the existing capacity of local infrastructure and would not conflict with any federal, state, or local management and reduction statutes or regulations.

### **General Discussion**

Madera County has 34 County Service Areas and Maintenance Districts that together operate 30 small water systems and 16 sewer systems. Fourteen of these special districts are located in the Valley Floor, and the remaining 20 special districts are in the Foothills and Mountains. MD-1 Hidden Lakes, Bass Lake (SA-2B and SA-2C) and SA-16 Sumner Hill have surface water treatment plants, with the remaining special districts relying solely on groundwater.

The major wastewater treatment plants in the County are operated in the incorporated cities of Madera and Chowchilla and the community of Oakhurst. These wastewater systems have been recently or are planned to be upgraded, increasing opportunities for use of recycled water. The cities of Madera and Chowchilla have adopted or are in the process of developing Urban Water Management Plans. Most of the irrigation and water districts have individual groundwater management plans. All of these agencies engage in some form of groundwater recharge and management.

Groundwater provides almost the entire urban and rural water use and about 75 percent of the agricultural water use in the Valley Floor. The remaining water demand is met with surface water. Almost all of the water use in the Foothills and Mountains is from groundwater with only three small water treatment plants relying on surface water from the San Joaquin River and its tributaries.

In areas of higher precipitation (Oakhurst, North Fork, and the topographically higher part of the Coarsegold Area), groundwater recharge is adequate for existing uses. However, some problems have been encountered in parts of these areas due to well interference and groundwater quality issues. In areas of lower precipitation (Raymond-Hensley Lake and the lower part of the Coarsegold area), groundwater recharge is more limited, possibly requiring additional water supply from other sources to support future development.

Madera County is served by a solid waste facility (landfill) in Fairmead. There is a transfer station in North Fork. The Fairmead facility also provides for Household Hazardous Materials collections on Saturdays. The unincorporated portion of the County is served by Red Rock Environmental Group. Above the 1000 foot elevation, residents are served by EMADCO services for solid waste pick-up.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

**XX. WILDFIRE**

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Responses:**

**(a - d) No Impact.** The types of activities occurring on the project site typically do not contribute to or exacerbate wildfire risks. The project does not propose any habitable structures and would therefore have no occupants. Further analysis of the project's potential impacts on wildfire is not warranted.

Madera County developed an Operational Area Emergency Operations Plan which, was updated in January of 2010 and a Multi-Hazard Functional Plan which, is responsible for establishing emergency management organization required to mitigate any emergency or disaster affecting Madera County. Both documents Identify policies, responsibilities and procedures required to protect the health and safety of Madera County communities, public and private property and the environmental effects of natural and technological emergencies and disasters. And establish the operational concepts and procedures associated with Initial Response Operations (field response) to emergencies, the Extended Response Operations County Emergency Operations Center (EOC) activities and the recovery process. Madera County also developed a Local Hazard Mitigation Plan (LHMP) which is responsible for evacuation procedures. The LHMP states the Sheriff's Department uses a system know as "MCALERT". There is nothing in both documents That indicate the project would impact a response plan or emergency evacuation plan. The project does not propose any actions or structures that expose people or structures to significant risks. Furthermore, the project would not generate runoff, post-fire slope instability, or negatively impact drainage.

**XIX. MANDATORY FINDINGS OF SIGNIFICANCE**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
--------------------------------------	---	------------------------------------	--------------

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <p>a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)</p>  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Responses:**

**(a) Less Than Significant Impact.** The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the project, with the incorporation of mitigation measures, would have a less than significant impact on the environment. As a result, the project would not have the potential to substantially degrade the quality of the environment and, therefore will have a less than significant impact

**(b) Less Than Significant Impact.** Implementation of the project would not result in significant cumulative impacts and all potential impacts would be reduced to less than significant.

**(c) Less Than Significant Impact.** For the reasons discussed in the sections above, the Project would not have the potential to result in environmental effects that would cause substantial adverse direct or indirect effects on human beings.

\_\_\_\_\_

## **Bibliography**

Madera County General Plan

California Department of Finance

California Department of Transportation (CALTRANS)

California Integrated Waste Management Board

California Environmental Quality Act Guidelines

United States Environmental Protection Agency

United States Department of Agriculture Natural Resources Conservation Services  
<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

Caltrans website [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm) accessed  
October 31, 2008

California Department of Fish and Game "California Natural Diversity Database"  
<http://www.dfg.ca.gov/biogeodata/cnddb/>

Madera County Air Quality Element of the General Plan (2010)

Madera County Integrated Regional Water Management Plan

Madera County Department of Environmental Health

Madera County Department of Public Works

Madera County Roads Department

CZ#2023-001

1

June 13, 2023

NEGATIVE DECLARATION

ND#2023-006

RE: CZ#2023-001 – Gil Rubio

LOCATION AND DESCRIPTION OF PROJECT:

The subject property is located on the southeast corner of Lynn Place and Road 25 1/2 (18817 Road 25 1/2), Madera.

ENVIRONMENTAL IMPACT:

No adverse environmental impact is anticipated from this project. The following mitigation measures are included to avoid any potential impacts.

BASIS FOR NEGATIVE DECLARATION:

See attached

---

Madera County Environmental Committee

A copy of the negative declaration and all supporting documentation is available for review at the Madera County Planning Department, 200 West Fourth Street, Ste. #3100, Madera, California.

DATED: June 13, 2023

FILED:

PROJECT APPROVED:

**BEFORE  
THE PLANNING COMMISSION  
OF THE COUNTY OF MADERA  
STATE OF CALIFORNIA**

In the Matter of  GIL RUBIO REZONE (CZ#2023-001)  _____	) ) ) ) ) ) )	Resolution No.: <u>PCR 2023-_____</u>  RESOLUTION APPROVING THE APPLICATION OF GIL RUBIO FOR A REZONE
--	---------------------------------	---

**WHEREAS**, the Planning Commission at a regular meeting in the Madera County Government Center, 200 West Fourth Street, Madera, California on Tuesday, June 13, 2023 held a duly noticed public hearing to consider the application of Gil Rubio for a Rezone; and

**WHEREAS**, County staff has presented substantial factual information regarding the Rezone; and

**WHEREAS**, the hearing was to consider the application of Gil Rubio for a Rezone (CZ #2023-001) to change the zoning of 2.60 acres rezone from RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) to RRM (Residential Rural Median) District in order to meet the minimum lot size for a subsequent parcel split; and

**WHEREAS**, the property 032-753-005 (2.60 acres) is located on the southeast corner of Lynn Place and Road 25 1/2 (18817 Road 25 1/2), Madera; and

**WHEREAS**, the property is zoned RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre); and

**WHEREAS**, a draft Negative Declaration (ND #2023-06) was also considered; and

**WHEREAS**, the Planning Commission has considered all public testimony and information presented during the public hearing regarding this item.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission finds that:

1. The proposed use is consistent with the General Plan and Zoning Ordinance. The rezone of 2.60 acres from RRS-2 1/2 (Residential, Rural, Single Family – 2 ½ acre) to RRM (Residential Rural Median) District will meet the standards of VLDR (Very Low Density Residential). The proposed RRM (Residential Rural Median) zone district is consistent with the general plan designation of VLDR (Very Low Density Residential).



2. The Commission found that any potentially significant negative impacts to environmental quality and natural resources have been properly evaluated. Under the provisions of the California Environmental Quality Act (CEQA), Section 15074 and the Madera County Environmental Guidelines, the County has determined that this project will not have a significant effect on the environment. The Planning Commission therefore approves Negative Declaration (ND 2023-06). The foregoing reflects the independent judgment and determination of the Planning Commission.

3. The Commission found that the Rezoning will not adversely affect the health, safety or general welfare of the citizens of Madera County.

4. As a result of Findings 1 – 3, the Rezone is approved, subject to the attached conditions.

//

//

//

//

//

//

//

//

//

//

//

//

//

//

//

\* \* \* \* \*

The foregoing resolution was adopted on a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_, at a regular meeting held before the Madera County Planning Commission on this \_\_\_\_\_ day of \_\_\_\_\_ 2023 by the following vote:

COMMISSIONER MILES-MATTINGLY VOTED: \_\_\_\_\_

COMMISSIONER DAL CERRO VOTED: \_\_\_\_\_

COMMISSIONER BURDETTE VOTED: \_\_\_\_\_

(VACANT) \_\_\_\_\_

COMMISSIONER ESTRADA VOTED: \_\_\_\_\_

MADERA COUNTY PLANNING COMMISSION

\_\_\_\_\_

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Secretary of the Planning Commission

Approved as to Legal Form:  
COUNTY COUNSEL

By: \_\_\_\_\_